

courses did not emphasize regulatory requirements and how to ensure that one's practices comply with them." Instead, Respondent testified that the courses encouraged doctors to not be scared of DEA and to take an aggressive approach to pain management. Nevertheless, Respondent testified that if granted a DEA registration, he would not prescribe controlled substances very often since safer noncontrolled substances are now available.

The Acting Deputy Administrator finds that there was no evidence presented relevant to factor three or factor five.

The Acting Deputy Administrator concludes that in light of Respondent's prescribing of controlled substances for no legitimate medical purpose and his failure to accept responsibility for his actions, the Government has established a *prima facie* case for the denial of Respondent's application for registration. However, as both Government counsel and Judge Bittner note, Respondent's wrongdoing is limited to three instances of prescribing controlled substances without a valid medical purpose in 1990 and 1991. Therefore, Judge Bittner recommended that Respondent be granted a restricted DEA Certificate of Registration. But, while Respondent has applied for a DEA registration in Schedules II through V, DEA has consistently held that it can only register a practitioner to handle controlled substances to the extent that he is authorized by the state. See, e.g., *Romeo J. Perez, M.D.*, 62 FR 16,193 (1997); *Demetris A. Green, M.D.*, 61 FR 60,728 (1996); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993). Since the record indicates that Texas has not issued Respondent privileges in Schedule II narcotic, Respondent is not entitled to a DEA registration in Schedule II narcotic. Judge Bittner further recommended that Respondent be required to "submit quarterly logs of all his handling of controlled substances to the appropriate DEA Special Agent in Charge or his designee, for the term of his registration."

The Acting Deputy Administrator agrees that a restricted registration is appropriate under the facts and circumstances of this case. While Respondent's wrongdoing occurred a number of years ago and was limited in nature, it is in the public interest to monitor Respondent's handling of controlled substances, in light of his failure to acknowledge responsibility for his actions. Therefore, the Acting Deputy Administrator finds it in the public interest to grant Respondent a DEA registration in Schedules II through

V, excluding Schedule II narcotic, subject to the following condition:

For three years from the date of issuance of the DEA Certificate of Registration, Respondent shall maintain a log of all controlled substances that he prescribes, administers or dispenses. At a minimum, the log shall indicate the date that the controlled substance was prescribed, administered or dispensed, the name of the patient, and the name, dosage and quantity of the controlled substance prescribed, administered or dispensed. The log shall be submitted on a quarterly basis to the Special Agent in Charge of the DEA Houston Field Division, or his designee. Should Respondent not prescribe, administer or dispense any controlled substances during a given quarter, he shall so indicate to the Special Agent in Charge of the DEA Houston Field Division, or his designee.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that the application dated October 2, 1994, submitted by Anant N. Mauskar, M.D., be, and it hereby is, granted in Schedules II through V, excluding Schedule II narcotic, subject to the above described restriction. This order is effective April 20, 1998.

Dated: March 6, 1998.

**Donnie R. Marshall,**

*Acting Deputy Administrator.*

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## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation

#### Criminal Justice Information Service (CJIS) Advisory Policy Board; Meeting

The Criminal Justice Information Services (CJIS) Advisory Policy Board will meet on June 16-17, 1998, from 9 a.m., until 5 p.m., at the Swissôtel, One Avenue de Lafayette, Boston, Massachusetts, telephone 617-422-5528, to formulate recommendations to the Director, Federal Bureau of Investigation (FBI), on the security, policy, and operation of the National Crime Information Center (NCIC), NCIC 2000, the Integrated Automated Fingerprint Identification System (IAFIS), and the Uniform Crime Reporting and National Incident Based Reporting System programs.

The topics to be discussed will include the progress of the NCIC 2000 and IAFIS projects, and other topics related to the operation of the FBI's criminal information systems.

The meeting will be open to the public on a first-come, first-seated basis. Any member of the public may file a

written statement concerning the FBI CJIS Division programs or related matters with the Board. Anyone wishing to address this session of the meeting should notify the Designated Federal Employee, at least 24 hours prior to the start of the session. The notification may be by mail, telegram, cable, facsimile, or a hand-delivered note. It should contain the requestor's name, corporate designation, consumer affiliation, or Government designation, along with a short statement describing the topic to be addressed, and the time needed for the presentation. A non-member requestor will ordinarily be allowed not more than 15 minutes to present a topic, unless specifically approved by the Chairman of the Board.

Inquiries may be addressed to the Designated Federal Employee, Mr. Demery R. Bishop, Section Chief, Programs Development Section, CJIS Division, FBI, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306-0149, telephone 304-625-2740, facsimile 304-625-5090.

Dated: March 9, 1997.

**Demery R. Bishop,**

*Section Chief, Programs Development Section, Federal Bureau of Investigation, Designated Federal Employee.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

March 17, 1998.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor, Departmental Clearance Officer, Todd R. Owen ((202) 219-5096 ext. 143) or by E-Mail to Owen-Todd@dol.gov. Individuals who use a telecommunications device for the deaf (TTY/TDD) may call (202) 219-4720 between 1:00 p.m. and 4:00 p.m. Eastern time, Monday-Friday.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC